FOOD, CIVIL SUPPLIES AND LABOUR SECRETARIAT

GOVERNMENT OF MYSORE

FOOD, CIVIL SUPPLIES AND LABOUR DEPARTMENT

Labour Dispute:—Industrial Dispute between the workmen and the Management of Avery Company of India (P) Ltd., 31, Central Street, Bangalore-1.

Award of the Addl. Industrial Tribunal Bangalore—published.

Read the following papers :

(1) Letter No. AIT/899/72-73, dated 5th October 1972 from Sri K.N. Patil, Presiding Officer, Addl. Industrial tribunal Bangalore.

BEFORE THE ADDITIONAL INDUSTRIAL TRIBUNAL, BANGALORE

Dated this 5th day of October 1972

Present :

Sri K. N. Patil, LL.B.,

Presiding Officer.

A.I.D. No. 17 of 1969

Workmen of M/s. Avery Co. of India (P) Ltd, Bangalore represented by the President, Engineering Employees Association. 6, Andhra Davanga Bldg., Gandhinagar, Bangalore-9. *I Party*,

Vs.

The Management of Avery Co. of India (P) Ltd., 31, Central Street, Bangalore-1. ... .. *II Party*.

Appearances .

For the I Party: Sri S. Suryanarayan Rao, Bangalore.

For the II Party: Sri B. Gopaliah, Advocate, Bangalore.

AWARD

The Government of Mysore being of opinion that an Industrial Dispute existed between the workman and the management of Avery Company of India (P) Ltd., Bangalore-1 referred the said dispute under Section 10-(1) (d) of the Industrial Disputes Act to this Tribunal for adjudication under their No. FCL 899 LLD 68, dated 8th September 1969. The points of dispute enumerated in the order of reference are:—

> "Are the workmen of M/s. Avery Co. of India (P) Ltd., 81, Central Street, Bangalore-1, entitled to the following demands or any other relief/reliefs.

I. "*Wages scales:* The employees should be classified into the following monthly paid categories and given pay scales as noted against each.

Unskilled (Mazdoors, workers and coolies)		Rs. 45-3-60-5-100
Semi-skilled (Helpers)	...	Rs. 50-5-75-7-145
Skilled (Mechanics and Fitters)		Rs. 90-6-150
Drivers	...	Rs. 75-5-100
Peons, Watchman, etc.	...	Rs. 50-1-70-5-100

Adjustments:—

(i) Employees drawing below the minimum of the above said grades should be brought to the minimum in the said scales.

(ii) Those drawing wages between two scales should be stepped up in the higher scale and employees drawing higher wages that demanded should not be stagnated but allowed to continue to draw usual increments.

II. D A. All the employees should be paid D. A at the following rates with effect from 1st April 1967.

	At cost of living index 300-400 points	*For variation of every 10 points*
(i) Those drawing basic wage upto Rs. 100 per month.	100%	5%
(ii) Between Rs. 101 to Rs. 200 p. m.	50%	2½%

(iii) Between Rs. 201 to Rs. 300 p. m. 25% 1½%

Minimum of Rs. 75 at the index of 200 points per month.

III. *Lunch Allowance* Employees on out duty if not in a position return for lunch during lunch time, should be paid Rs. 2 each per day.

IV. *T. A.* Employees sent out on duty should be paid II class fare and Rs. 10 per day as daily allowance.

B. Whether the management of M/s. Avery Co. of India (P) Ltd., 31, Central Street, Bangalore-1, is justified in terminating the services of Sri Hanea, Workman. If not, to what relief is the said workman entitled?

After the receipt of the reference it came to be numbered as A.I.D. 17/69 on the file of this Tribunal and notices were issued to both sides. The I party consists of workmen of Avery Company of India (P) Ltd., Bangalore-1, while the II party is the Management of the Company.

2. The I party filed it's claim statement on 29th October 1969 and made demands with regard to the Wages Scales, Dearness Allowance, Lunch Allowance and Travelling Allowance for the workmen. The II party filed its counter on 25th January 1970 and opposed the demands put forth by the I party. The I party filed its reply statement on 6th February 1970 and reiterated the contentions which it had earlier put forth in the claim statement.

3. On 18th February 1970 the following issues were raised in addition to the points of dispute referred for adjudication.

(i) Whether the I party Union is not competent to raise the dispute on the ground, firstly, that it is a General Union and secondly that the majority of the workers in the concern are not interested in this dispute

(ii) Whether the settlements referred to in para 4 of the Counter-statement are valid and binding? if so, whether this dispute survives?

4. The case came up for hearing before the Tribunal this day. The I party withdrew the demands and filed a memo. They did not press the demands which they had put forth. In the result, the reference is rejected. There shall be no order as to costs.

K. N. PATIL,
Presiding Officer,
Addl. Industrial Tribunal,
Bangalore.

ORDER.

Bangalore, dated 17th November 1972.

S. O. 887.—WHEREAS by State Government Order No. FCL 899 LLD 68, dated, 8th September 1969, the Industrial Dispute between the workmen and the management of Avery Company of India (P) Ltd., 31, Central Street, Bangalore-1 was referred to the Addl. Industrial Tribunal, Bangalore for adjudication.

AND, WHEREAS the Addl. Industrial Tribunal, has submitted to the State Government its award in respect of the said Industrial Dispute;

NOW, THEREFORE, in exercise of the powers conferred by Section 17 of the Industrial Disputes Act, 1947 (Central Act XIV of 1947) the Government of Mysore are pleased to direct the publication of the said Award as above in the *Mysore Gazette.*

[No. FCL 196 LLA 72.]

By Order and in the name of the Governor of Mysore,

ANIRUDHA DESAI,
Under Secretary to Government,
Food, Civil Supplies and Labour Department.